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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,315	06/22/2001	Seiji Sato	09792909-5052	9528

26263 7590 07/28/2004

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EXAMINER
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FATAHI YAR, MAHMOUD

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 07/28/2004

#6

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/888,315

Applicant(s)

SATO ET AL.

Examiner

Mike Fatahiyar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-5 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Yuasa et al(6,252,624B1).

Yuasa et al disclose a three dimensional display comprising a time-sharing picture display shutting means(12, 13, 23) having a function of shutting off only an area covered by a viewing which correspond to a display area of the display device(11).

Note, the display shutting means(12, 13, 23) has a first linear polarizer(12), a second polarization filter(18) and a liquid crystal sealing body(13). It should also be noted that the display device(11) is a CRT.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 6 and 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuasa et al in view of Moseley et al(5,993,004).

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Yuasa et al is discussed above. Yuasa et al substantially show all the features of the above claims except for the "circular polarization", "optical modulation display" and "a pair of  $\frac{1}{4}$  wavelength plates". However, Moseley et al disclose a method and apparatus for a stereo display device comprising a circular polarization(42), an optical modulator(41) and a pair of  $\frac{1}{4}$  wavelength plates(42, 26, 27; figure 16) utilized as part of a time-sharing picture display shutting means. Thus, it would have been obvious to one of ordinary skill in the art to modify the system of Yuasa et al with the noted teachings of Moseley et al such that to provide a stereo display device having a circular polarization filter, an optical modulation display and a pair of  $\frac{1}{4}$  wavelength plates utilized as part of the time-sharing picture display shutting means because both references are related to a stereo display device utilizing polarized glasses for viewing 3D images and further because substitution of a circular polarizer for a linear polarizer and an optical modulation device for a CRT are all considered to be alternative equivalent of each other which are well within the realm of on of ordinary skill in the art.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yuasa et al in view of Lazzaro et al(6,456,432B1).

Yuasa et al is discussed above. Lazzaro et al is cited to show that the concept of fitting a second polarization filter(19, 20) and a liquid crystal sealing body(17) to a head portion of the viewer(i.e., glasses) for viewing 3D images in a stereo display device is old. Therefor, it would have been obvious to one ordinary skill in the art to modify the system of Yuasa et al with the above noted teachings of Lazzaro et al such that to fit the liquid crystal(13) and the second polarizer(18) into the glasses of a viewer, as

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evidenced by Lazzaro et al, because both systems are related to a stereo display device utilizing polarized glasses and LCD shutters for viewing 3D images.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yuasa et al in view of Lin(6,278,501B1).

Lin is cited to show that the concept of utilizing a versatile, adjustable and detachable 3D LCD shutter glasses(10) for viewing 3D images(note, the outer frame 25 in figure 1). Thus, it would have been obvious to one of ordinary skill in the art to modify the system of Yuasa et such that to fit and hold the liquid crystal body(13) by a means other than the glasses(14) because Lin shows the desirability of a detachable LCD body and polarizer together and further because no new and unexpected result is seen or expected from holding the LCD body and the second polarization filter by some means other than a head portion of the viewer such as a glasses. The end results in both cases is the same.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Byatt, Liptoh et al, Vossler, Murata et al, Yamazaki et al and Tsang are made of record to show various types of stereo display devices utilizing polarized glasses for viewing 3D images.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mike Fatahiyar** whose telephone number is **(703) 305-6911**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

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**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**


**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

*MF*  
M. Fatahiyar

July 25, 2004

  
RICHARD HJERPE 7/26/04  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600